



ALABAMA BOARD OF COSMETOLOGY AND BARBERING

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Minutes for the Board Meeting
July 27, 2015
10:00 a.m.

100 North Union Street, Suite 300
Montgomery, Alabama 36104

Mr. McDonald called the meeting to order at 10:07 a.m. and presided over the meeting. The members present were: Floyd McDonald, Bobby Luster, General Jackson, Kathy Linden, Michelle Callahan-Alvis and LaTaya Aaron. Tracy Smith was absent. A quorum of the Board members was present. The office staff members present were Jodi Respass and Carol Reynolds. Bob McKee, Executive Director, was present. Elizabeth Sheehan from the Attorney General's Office was present as legal counsel. The visitor present was Orson Steward.

The invocation was given by Mr. Jackson. Roll call was taken.

Mr. Jackson made a motion to accept the minutes as presented from the April 20, 2015 meeting. Mr. Luster seconded. All ayes, the motion carried.

Ms. Linden nominated Mr. McDonald for the position of Chair. Mr. Luster seconded. All ayes, the nomination was ratified. Ms. Linden nominated Mr. Luster as Vice-Chair. Ms. Aaron seconded. All ayes, the nomination was ratified. Mr. Jackson nominated Ms. Linden for Secretary/Treasurer. Ms. Aaron seconded. All ayes, the nomination was ratified. Ms. Aaron nominated Mr. Jackson to be the representative for the Investigative Committee. Mr. Luster seconded. All ayes, the nomination was ratified.

Mr. McKee stated that the Sunset Review is set for this Thursday, July 30th at 9:00 and that the NIC School Overview is set for this Friday, July 31st.

At 10:16, Ms. Linden made a motion to adjourn the regular meeting for the Public Hearing. Ms. Linden made a motion to approve Rule 250-X-3-.02(16). Ms. Callahan-Alvis seconded. All ayes, the motion carried.

Mr. Jackson made a motion to approve Rule 250-X-4-.03(1). Ms. Aaron seconded. All ayes, the motion carried.

At 10:20, Ms. Linden made a motion to return to the regular meeting. Mr. Jackson seconded.

For Complaint #2642, Mr. Luster made a motion to dismiss the complaint since the Respondent has come into compliance. Mr. Jackson seconded. All ayes, the motion carried.

For Complaint #2635, Ms. Linden made a motion to accept the Administrative Law Judge's recommendation of a fine of \$800.00 plus court costs and suspend the shop license for one week. Mr. Jackson seconded. Mr. Luster abstained. All ayes, the motion carried.

For Complaint #2848, Mr. Luster made a motion to accept the Administrative Law Judge's recommendation to (1) revoke Kim Nguyen's master Manicurist License #111359; (2) permit Katie Nguyen to reapply for Master Manicurist License using documentation to support her new name; (3) permit Kayla Nguyen to resubmit her application for reciprocity using documentation to support her new name plus court costs. Mr. Jackson seconded. All ayes, the motion carried.

For Complaint #2906, Mr. Luster made a motion to accept the Administrative Law Judge's recommendation of revoking Lien Vu's Master Cosmetologist License (#120920) and she be prohibited from being licensed by ABOC until she personally appears before ABOC's office staff and her identity is proven. The court costs are to be paid by the person who applies for a new license. Mr. Jackson seconded. All ayes, the motion carried.

For Complaint #2950, Mr. Jackson made a motion to accept the Administrative Law Judge's recommendation of a fine of \$1,500 plus court costs. Ms. Callahan-Alvis seconded. Mr. Luster abstained. All ayes, the motion carried.

There was a discussion concerning shops that have complaints. Ms. Sheehan stated that we are doing pretty much all we can and we are number one in the nation prosecuting people with violations.

There was a discussion concerning implement holders and these should not be used.

Tabled from the previous meeting: how many apprenticeships a person may have. Ms. Respass stated that the office was referring to Chapter 250-X-4-.01(13), "Apprentices must become licensed within two (2) years from record of completion date of original training or complete 375 hours of school training before applying or reapplying for examination" and Chapter 250-X-6-.01(4), "Candidates failing an exam on the third attempt shall take the following action. . ." After discussion, Mr. Jackson made a motion for a person to have one time per an apprenticeship type. Ms. Callahan-Alvis seconded. All ayes, the motion carried.

Information concerning other states and the exams that are given was distributed to the Board Members for their information. Five states do not give a practical exam. One does not give a written exam. People coming by reciprocity from these states are required to take these exams.

Ms. Callahan-Alvis discussed Dermatude and that this is a medical procedure.

For the people who wish to hold more than one license type, the Board Members considered the written exam applications. For these "crossover" licenses, Mr. Jackson made a motion to accept all the written exam applications as presented. Ms. Linden seconded. All ayes, the motion carried.

Mr. McKee discussed the new law that exempts all haircutters. He also discussed the upcoming Sunset meeting, stating that there is only one significant item – that there is no nail tech on the Board. The State Accounting Department is changing systems and this will

Mr. Jackson made a motion to adjourn at 11:19. The next meeting is scheduled for October 26, 2015 at 10:00 a.m.

Floyd McDonald, Chair

Carol A. Reynolds
Recording Secretary